

Message Text

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ACTION DLOS-09

INFO OCT-01 AF-10 EUR-12 IO-13 ISO-00 ACDA-12 AGRE-00
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00
DODE-00 DOTE-00 EB-08 EPA-01 SOE-02 DOE-15 FMC-01
TRSE-00 H-01 INR-10 INT-05 JUSE-00 L-03 NSAE-00
NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-05 SP-02
SS-15 USIA-06 /153 W
-----129826 251029Z /13

R 250836Z MAR 78
FM AMEMBASSY DAKAR
TO SECSTATE WASHDC 3450
USMISSION GENEVA
AMEMBASSY PARIS
USMISSION USUN NEW YORK

LIMITED OFFICIAL USE DAKAR 2293

E.O. 11652: N/A
TAGS: PLOS, SG
SUBJECT: LOS SEVENTH SESSION

REF: (A) STATE 70173, (B) DAKAR 1753, (C) STATE 70035, (D)
STATE 71543

1. SUMMARY: SENEGALESE BELIEVE THAT LOS NEGOTIATIONS
REPRESENT "CLASSIC OPPOSITION" BETWEEN DEVELOPED AND
DEVELOPING COUNTRIES, BUT TAKE VIEW THAT AFRICA HAS ALREADY
SUCCEEDED IN HAVING MANY OF ITS IDEAS ACCEPTED IN LOS
TERMINOLOGY AND WHAT WILL MATTER DURING UPCOMING SESSION
IS "POLITICAL WILL" OF PARTICIPATING COUNTRIES TO REACH
SOLUTION WHICH COULD PRESAGE NEW INTERNATIONAL ECONOMIC
ORDER AND FACILITATE NEEDED REMEDY FOR DEPLETION OF LAND
RESOURCES. AS PRESIDENT OF GROUP OF 77 AT LOS
SESSION, "SENEGAL IS MORE INTERESTED THAN ANY OTHER COUNTRY"
(IN POSITIVE OUTCOME). END SUMMARY.

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2. IN RESPONSE REFTEL A, EMBASSY IS POUCHING TO DEPARTMENT
AND GENEVA ARTICLE ON SEVENTH SESSION BASED ON INTERVIEW
WITH DOUDOU DIOP, DIRECTOR OF LEGAL AFFAIRS IN
SENEGALESE FOREIGN MINISTRY AND MEMBER OF SENEGAL'S
LOS DELEGATION, WHICH APPEARED IN SEMI-OFFICIAL DAKAR
DAILY LE SOLEIL MARCH 17. LOOKING FORWARD TO GROUP

OF 77 PREPARATORY MEETING IN GENEVA CHAIRED BY SENEGAL (REF B AND PREVIOUS), ARTICLE TOOK AS ITS PREMISE THAT "IDEA OF LOS BRINGS TO MIND, ABOVE ALL, ...THE CLASSIC OPPOSITION OF INTERESTS BETWEEN POOR AND RICH COUNTRIES."

3. AMONG REMAINING "STUMBLING BLOCKS," ARTICLE CITED EXCLUSIVE ECONOMIC ZONE WHERE "GREAT POWERS" SEEK "LIBERAL REGIME" WHILE THIRD WORLD SEEKS "TOTAL POSSESSION OF LIVING AND NON-LIVING RICHES CONTAINED IN THAT ZONE." SECOND MAJOR "DIVERGENCE" WAS OVER "PARALLEL SYSTEM" FOR SEABED EXPLOITATION "ADVANCED BY THE RICH COUNTRIES, WHICH OFFERS POSSIBILITY FOR PRIVATE MULTINATIONALS TO EXPLOIT RICHES OF INTERNATIONAL ZONE SIMULTANEOUSLY WITH INTERNATIONAL ENTERPRISE;" LDC'S HAD AGREED TO ACCEPT SYSTEM ON CONDITION (1) THAT POOR COUNTRIES HAVE AT THEIR DISPOSAL UP-TO-DATE TECHNOLOGY CAPABLE OF SATISFYING THEIR NEEDS AND (2) THEY ALSO HAVE ADEQUATE FINANCIAL CAPITAL AT THEIR DISPOSAL. TURNING TO DEMANDS OF LAND-LOCKED COUNTRIES (MENTIONING MALI AND UPPER VOLTA AS WELL AS EUROPEAN STATES), ARTICLE INDICATED THAT COASTAL COUNTRIES HAD RESPONDED THAT THERE WAS NO QUESTION OF SHARING ALL RESOURCES, BUT ONLY THE "SURPLUS" AND BY WAY OF AGREEMENT. "IT IS EVIDENT THAT THE CLARIFICATION OF THIS NOTION OF "SURPLUS" WILL BE THE OCCASION FOR VERY HEATED DISCUSSIONS."

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4. ACCORDING ARTICLE, DIOP COMMENTED THAT DIFFICULTY OF LOS NEGOTIATIONS WAS INCREASED BY PROLIFERATION OF "GROUPS OF COUNTRIES FOLLOWING THEIR INTERESTS OF THE MOMENT, OFTEN IN RELEGATION OF CERTAIN IDEOLOGICAL CLEAVAGES. AFRICA, HOWEVER, WILL NOT SERVE AS THE SETTING." ARTICLE NOTED THAT AFRICA WAS ONLY ECONOMIC AREA TO BENEFIT FROM COMMON DECLARATION (AT OAU IN 1973) AND SUGGESTED AFRICANS COULD CLAIM PATERNITY OF CONCEPTS NOW ACCEPTED IN LAW OF SEA TERMINOLOGY SUCH AS EXCLUSIVE ECONOMIC ZONE. ALL THE TECHNICAL FACTORS HAD COME TOGETHER FOR POSITIVE ACCORDS, BUT WHAT RISKED FAILURE WAS THE "POLITICAL WILL" OF PARTICIPATING STATES. ARTICLE EMPHASIZED THAT "SENEGAL IS INTERESTED MORE THAN ANY COUNTRY," CONCLUDING THAT CONFERENCE'S IMPORTANCE WAS "DOUBLY EVIDENT" SINCE LAW OF SEA PRESAGED NEW INTERNATIONAL ECONOMIC ORDER BLENDING PREOCCUPATIONS OF NORTH-SOUTH DIALOGUE AND UNCTAD AND SINCE SEA APPEARED AS POSSIBLE REMEDY FOR DEPLETION OF TERRESTRIAL RESOURCES.

5. COMMENT: ARTICLE REFLECTS SENEGALESE FEELING SINCE LAST SESSION THAT THEY AND LDC'S IN GENERAL HAVE

ALREADY GAINED MUCH IN LOS NEGOTIATIONS AND IT IS
IMPERATIVE NOW TO REACH MUTUALLY ACCEPTABLE COMPROMISES
ON REMAINING POINTS OF DIVERGENCE IN ORDER TO CODIFY
THESE GAINS IN LOS TREATY.

6. AMBASSADOR RICHARDSON'S MARCH 16 STATEMENT AND
ASSOCIATED Q'S AND A'S (REFS C AND D) ARRIVED IN DAKAR AFTER
DIOP'S DEPARTURE FOR GENEVA. CHARGE CONVEYED COPIES
TO FOREIGN MINISTRY MARCH 21, BUT IT WOULD UNDOUBTEDLY
BE MORE PRODUCTIVE TO MAKE TEXTS AVAILABLE DIRECTLY TO
SENEGALESE DELEGATION IN GENEVA, PREFERABLY IN FRENCH. WE
UNDERSTAND FROM FOREIGN MINISTRY THAT DIOP IS CURRENTLY
CHAIRING GROUP OF 77 MEETING, IN ABSENCE OF AMBASSADOR
AMADOU MOCTAR CISSE, WHO HAS NOT YET ARRIVED.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, FOREIGN POLICY POSITION, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978DAKAR02293
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780131-1255
Format: TEL
From: DAKAR
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780325/aaaaauze.tel
Line Count: 137
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: faadadbd-c288-dd11-92da-001cc4696bcc
Office: ACTION DLOS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 70173, 78 DAKAR 1753, 78 STATE 70035
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 27 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3204136
Secure: OPEN
Status: NATIVE
Subject: LOS SEVENTH SESSION
TAGS: PLOS, SG
To: STATE GENEVA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/faadadbd-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014